

LISA J. CISNEROS (SBN 251473)  
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California Rural Legal Assistance, Inc.  
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Attorneys for Plaintiffs/Interveners  
MARIA DOLORES PEREZ, MANUEL SOTO, JUANITA VELASQUEZ and MARIA  
ISABEL LUCIO,

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
(San Jose Division)

EQUAL EMPLOYMENT OPPORTUNITY  
COMMISSION,

Plaintiff,

MARIA DOLORES PEREZ, MANUEL  
SOTO, JUANITA VELASQUEZ and MARIA  
ISABEL LUCIO,

Plaintiffs/Intervenors

vs.

MONTEREY GOURMET FOODS, INC.,  
A Delaware Corporation,

Defendant

Case No.: C10-152-HRL

CORRECTED NOTICE OF MOTION AND  
MOTION FOR LEAVE TO INTERVENE

DATE: April 20, 2010

TIME: 10 a.m.

DEPT: 2

Honorable Howard R. Lloyd

TO DEFENDANT AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that on April 20, 2010 at 10 a.m. in Department 2 or as soon  
thereafter as the matter may be heard, the aggrieved parties MARIA DOLORES PEREZ,  
MANUEL SOTO, JUANITA VELASQUEZ and MARIA ISABEL LUCIO will and now does  
move this Court under F.R.C.P. Rule 24(a) for leave to intervene into the above-referenced

1 action as party plaintiff/intervenor. The plaintiff/intervenor's motion shall be heard at the United  
2 States Courthouse, 280 South First Street, San Jose, CA, before the Honorable United States  
3 District Court Chief Magistrate Judge Howard R. Lloyd.

4 This motion is brought in order that the aggrieved party might assert the claims set forth  
5 in her proposed Complaint in Intervention, a copy of which is attached as Exhibit A to the  
6 accompanying Declaration of Lisa J. Cisneros. The grounds for the motion are:

7 I. Mrs. Perez, Mr. Soto, Mrs. Velasquez, and Mrs. Lucio must be permitted to intervene  
8 as a matter of right, because a federal statute confers the unconditional right to  
9 intervene in the action, and her motion to intervene is timely.

10 II. The application of Mrs. Perez, Mr. Soto, Mrs. Velasquez, and Mrs. Lucio is timely  
11 because she has sought to intervene at a very early stage in the proceedings, and  
12 Defendant Monterey Gourmet Foods, Inc. is not prejudiced by her intervention at this  
13 time.

14 This motion is based on the Memorandum of Points and Authorities, the attached  
15 Complaint in Intervention, the Declaration of Lisa Cisneros, and the Complaint filed by the  
16 Equal Employment Opportunity Commission on January 12, 2010.

17 Respectfully submitted,

18 DATED: March 11, 2010

CALIFORNIA RURAL LEGAL ASSISTANCE, INC.

19  
20  
21 By: 

Lisa J. Cisneros  
Attorney for Plaintiffs/Intervenors

# **EXHIBIT A**

1 LISA J. CISNEROS (SBN 251473)  
2 MICHAEL MEUTER (SBN 161554)  
3 California Rural Legal Assistance, Inc.  
4 3 Williams Road  
5 Salinas CA 93905  
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7 Facsimile: (831) 757-6212

8 Attorneys for Plaintiffs/Intervenor  
9 MARIA DOLORES PEREZ, MANUEL SOTO, JUANITA VELASQUEZ and MARIA  
10 ISABEL LUCIO

11 UNITED STATES DISTRICT COURT  
12 NORTHERN DISTRICT OF CALIFORNIA  
13 (San Jose Division)

14 EQUAL EMPLOYMENT OPPORTUNITY  
15 COMMISSION,

16 Plaintiff,

17 MARIA DOLORES PEREZ, MANUEL  
18 SOTO, JUANITA VELASQUEZ and MARIA  
19 ISABEL LUCIO,

20 Plaintiffs/Intervenors

21 vs.

22 MONTEREY GOURMET FOODS, INC.,  
23 A Delaware Corporation,  
24 Defendant

Case No.: C10-152-HRL

DECLARATION OF LISA J. CISNEROS  
IN SUPPORT OF  
PLAINTIFFS/INTERVENORS'  
NOTICE OF MOTION AND MOTION FOR  
LEAVE TO INTERVENE

DATE: April 20, 2010  
TIME: 10:00 am  
DEPT: 2

Honorable Howard R. Lloyd

25 I, Lisa J. Cisneros, declare as follows:

- 26 1. I am an attorney duly licensed to practice law in the State of California, State Bar  
27 Number 251473. I represent Plaintiffs/Intervenors Maria Dolores Perez, Manuel Soto,  
28 Juanita Velasquez, and Maria Isabel Lucio in the above-titled matter. I submit this

1 declaration as Plaintiffs/Intervenors attorney. I base this declaration on my personal  
2 knowledge, and I am prepared to testify as to the matters contained herein.

3 2. On or about January 12, 2010, the Equal Employment Opportunity Commission filed its  
4 Complaint in the above-captioned matter. No initial discovery has been exchanged, no  
5 discovery has been propounded, and the first case management conference has not  
6 occurred.

7 3. Attached hereto as Exhibit "A" is a copy of the proposed Complaint that  
8 Plaintiffs/Intervenors request to file with this Court.

9 I declare under the penalty of perjury under the laws of the United States that the  
10 foregoing is true and correct.

11 Respectfully submitted,

12 DATED: March 11, 2010 CALIFORNIA RURAL LEGAL ASSISTANCE, INC.

13  
14  
15 By: \_\_\_\_\_

Lisa J. Cisneros  
Attorney for Plaintiffs/Intervenors